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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/533,913	05/05/2005	Marc Valence	103120-00066	2400

4372 7590 07/18/2006

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EXAMINER

LARSON, LOWELL A

ART UNIT	PAPER NUMBER
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3725

DATE MAILED: 07/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/533,913	Applicant(s) VALENCE ET AL.	
	Examiner Lowell A. Larson	Art Unit 3725	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE THREE MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 to 33 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1 to 33 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5/5/2005</u> . | 6) <input type="checkbox"/> Other: ____. |

Art Unit: 3725

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 15, 16, 18 to 26, 28 and 32 are rejected under 35 U.S.C. 102(b) as being anticipated by Klute et al.

Klute et al. discloses conversion means for use in stands of cold rolling tandem mills in which bars 3, 4 with slots 5, 6 engage lugs of cassettes for either four-high or six-high rolling with the same backup rolls and force application means. The bars include cylinders for roll bending and side support.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 to 14, 17, 27, 31 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klute et al. in view of the admitted prior art.

On page two of the specification, lines 5 to 12, it is admitted prior art to select roll stand configurations depending on the characteristics of the product intended to be processed. Therefore, it would have been an obvious utilization of knowledge present

in the art to select the configuration of the Klute et al. tandem stands according to product data, as required by these claims. To optimize the configuration for any particular product data, as recited in Claim 9 for example, is considered to be merely an obvious exercise of routine experimentation following the knowledge that different stand configurations are more suitable for materials with different characteristics, and not a patentable distinction absent a disclosure of criticality in the solution of stated problems, or the achievement of surprising or unexpected results, with any specific combination of stand configuration and product data.

The number of backup/intermediate rolls present in the stand when installing the Klute et al. small roll cassette of Figure 2, as recited in Claims 6 and 17 for example, is not considered to be a patentable distinction since the function and operation of the small roll cassette would be the same regardless of the backing arrangement.

5. Claims 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klute et al. in view of Dahlstrom.

These claims require the small work rolls to be spring-pressed against the respective backup rolls. Dahlstrom shows such an arrangement to be well known for supporting small diameter work rolls.

It would have been obvious to one having ordinary skill in the art to support the small diameter rolls of the Klute et al. Figure 2 cassette by springs, following the suggestion of Dahlstrom, in order to facilitate adjustability of the rolls by the side rolls

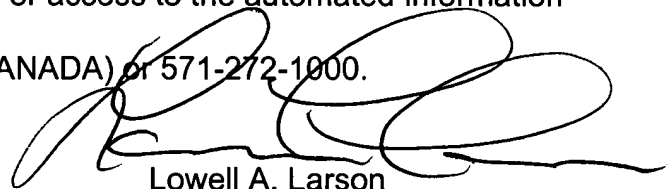
Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Iverson and Stoy et al. further show the state of the art.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lowell A. Larson whose telephone number is (571) 272-4519. The examiner can normally be reached from M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Banks Derris can be reached at (571) 272-4419. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Lowell A. Larson
Primary Examiner
Art Unit 3725

LAL
July 12, 2006